

**CHANNEL ISLANDS NATIONAL MARINE SANCTUARY
SANCTUARY ADVISORY COUNCIL**

FINAL MEETING MINUTES

**Tuesday, May 30, 2000
8:30 a.m. — 4:30 p.m.
Oxnard Community Center • Oxnard, CA**

In Attendance:

GOVERNMENT REPRESENTATIVES:

NATIONAL MARINE FISHERIES SERVICE

Alternate Korie Johnson

NATIONAL PARK SERVICE

Member Jim Shevock, Ph.D.

Alternate Gary Davis

MINERALS MANAGEMENT SERVICE

Member Drew Mayerson

US NAVY

Member Alex Stone

Alternate Ron Dow

CA DEPARTMENT OF FISH AND GAME

Alternate Lt. Jorge Gross

CALIFORNIA COASTAL COMMISSION

Member Gary Timm

COUNTY OF SANTA BARBARA

Member Dianne Meester

Alternate Jackie Campbell

COUNTY OF VENTURA

Member Lyn Krieger

CALIFORNIA RESOURCES AGENCY

Alternate Melissa Miller-Henson

COMMUNITY REPRESENTATIVES:

TOURISM

Alternate Alex Brodie

BUSINESS

Member Rudy Scott

RECREATION

Member Jim Brye

FISHING

Member Bruce Steele

CONSERVATION

Member Linda Krop

Alternate Greg Helms

PUBLIC AT-LARGE

Member Marla Daily

Alternate Robert Duncan

PUBLIC AT-LARGE

Member Craig Fusaro, Ph.D.

NON-VOTING MEMBERS:

**CHANNEL ISLANDS NATIONAL MARINE
SANCTUARY**

LCDR Matthew Pickett, Manager

Not attending:

GOVERNMENT REPRESENTATIVES:

NATIONAL MARINE FISHERIES SERVICE

Member Mark Helvey

US COAST GUARD

Member Lt. Yuri Graves

MINERALS MANAGEMENT SERVICE

Alternate Fred Piltz, Ph.D.

CA DEP'T. OF FISH & GAME

Member Patricia Wolf

CALIFORNIA RESOURCES AGENCY

Member Brian Baird

CALIFORNIA COASTAL COMMISSION

Alternate Jack Ainsworth

COUNTY OF VENTURA

Alternate Jack Peveler

COMMUNITY REPRESENTATIVES:

TOURISM

Member Michael Finucan

BUSINESS

Alternate Dr. Dan Secord

FISHING

Alternate Chris Williams

EDUCATION

Member Dave Long

Alternate Larry Manson

RESEARCH

Member Leal Mertes, Ph.D.

Alternate Matthew Cahn, Ph.D.

PUBLIC AT-LARGE

Member Jean-Michel Cousteau

Alternate Barry Schuyler

NON-VOTING MEMBERS:

**MONTEREY BAY NATIONAL MARINE
SANCTUARY**

William Douros, Superintendent

**GULF OF THE FARALLONES/CORDELL BANK
NATIONAL MARINE SANCTUARY**

Ed Ueber, Manager

1. Administrative Items and Announcements

A. Call To Order and Roll Call

Chair Dr. Craig Fusaro opened the meeting with an announcement that there are currently three open seats on the Council: Public At-Large alternate, Recreation alternate and the Coast Guard alternate seat. He also emphasized that the public will have the opportunity to comment during those times designated on the agenda for public comment. SAC Coordinator Mike Murray called the role. A quorum of voting members was present (15 seats represented at roll call). Additional two seats were subsequently represented as members arrived later in the day.

B. Introductory Remarks

Matt Pickett emphasized that the objective of this meeting was to develop boundary concepts and not to choose a preferred alternative. He reminded the SAC to stay open-minded during this

meeting. Dr. Brock Bernstein, Facilitator, introduced himself. He laid out the following ground rules for the day: be concise, stay on schedule, and be respectful.

C. Announcement: President's Executive Order on Marine Protected Areas (Helen Golde)

Helen Golde, from the National Marine Sanctuary Program, summarized and clarified the implications of the President's Executive Order. She reported that the Executive Order highlighted the importance of marine protected areas. President Clinton requested that authoritative agencies strengthen existing marine protected areas, as well as build a system of these areas. The President also intends to establish an advisory committee on marine protected areas and a center for marine protected areas, which would be designed to look at large policy issues. Helen emphasized that this Executive Order cannot change existing law.

2. Management Plan Process

A. Review of Management Planning Process

Anne Walton provided a progress report on development of the draft management plan and draft EIS. Text from the overheads used for the Management Plan Revision Process presentation follow:

5-Year Management Plan Review Process

- The Channel Islands National Marine Sanctuary is currently involved in a five-year management plan review process to evaluate and update the administrative framework for Sanctuary operations.

Management Plan Review

- Channel Islands National Marine Sanctuary was designated in 1980
- The CINMS management plan and regulations went into effect 1982

What are management plans?

- Site-specific documents used to manage individual sanctuaries
- These plans set priorities, contain regulations, present existing programs and projects, and guide the development of future regulations

Why are they being revised?

- Statutory requirement
- Most sanctuary management plans are between 7 and 15 years old
- They may not address current resource protection issues
- They may not incorporate current marine resource management concepts and practices
- They do not contain performance indicators to evaluate effectiveness of the sanctuary

What approach will be used?

- Community-based public process organized by CINMS, and coordinated by the national office
- Driven by site-specific issues, but may also address issues of national concern
- Small team of local and national staff
- Sanctuary Advisory Council to participate in all phases
- Use local contractors/consultants

How have we engaged the public?

- 7 Public Scoping Meetings
- 2 Post Scoping Meetings
- 2 Public Information Forums
- Working Together with SAC on Boundary Redefinition
- Working Together with SAC on Building New Regulations
- Draft Environmental Impact Statement Public Meetings

Scoping Results: Issue Categories

- Water Quality
- Education and Outreach
- Research, Monitoring and Enforcement
- Boundary Redefinition
- Military Activity
- Oil and Gas
- Marine reserves
- Sea Otters
- Other Management Issues

Determination on Study Area

- Contract Let to UCSB to Make Recommendation based on Ecological Linkages
- 3 Weeks Reviewing Published Literature
- 3 Weeks Analyzing Data
- Draft Went Through Blind Peer Review
- Final Recommendation to Staff

Boundary Redefinition: Decision Making Framework

- Conserving Biological Diversity and Ecological Processes
- Consider the Needs of the Human Community
- Integrated Ecosystem Management: Recognizing Links Between Watersheds, Coastal Zones and Ocean Environments
- Incorporate Best Available Science and Local Knowledge in the Decision Making Process
- Incorporate the precautionary Principle

Boundary Redefinition: Areas of Consideration

- The Area s Natural Resources and Ecological Qualities
- The Area s Historical, Cultural, Archaeological Significance
- Present and Potential Uses that Depend on Maintenance of the Resources
- Other Authorities
- Public Benefits to be Derived from Sanctuary Status
- Manageability of the Area
- Socioeconomic Impacts

Where Do We Go From Here?

- May 30: SAC to Approve Moving Forward with Boundary Redefinition Concepts
- June 14: Work with SAC on Applying Regulations to Boundary Alternative Concepts
- July 19: Present to SAC Proposed Boundary Alternatives and Regulations
- July: Start Analysis of Proposed Alternatives for DEIS
- August: Start Approval Process for DEIS

- September: Public Meeting on DEIS

B. Review of Packet Materials (Cathryn Wild)

Cathryn gave an overview of the CINMS staff process in developing boundary concepts. She also reviewed the background materials sent to the SAC. Text from the overheads used in this presentation follow:

Staff Working Boundary Concept Development Process

Effective discussion requires:

- Structured process
 - to organize consideration of factors and decision-making
- Participant confidence that all concerns will be heard at some point

Big picture (top flow chart box- p 24)

- Direction from National Marine Sanctuary Act, CINMS designation document
- Flexible and powerful language
- Discretionary choice of tools to achieve goals
 - supports local customization
 - supports use of evolving knowledge
- Boundary redefinition is one tool

A Detour Outside the Box

How does the Act stack up against current thinking in selection of protected areas?

- IUCN criteria
- Tundy Agardy
 - helped articulate mid-level criteria (middle box of flow chart)

Analysis of CINMS, MBNMS boundary process

- What insights emerge?
 - Change is inevitable but unpredictable
 - Changed ideas about best practices in marine management
 - Changes in issues, or issue priorities
 - Changed understanding of systems, resources
- Identical presentation of study area feature and issue information
- Developed criteria list (bottom box of flow chart)
- Drew individual boundary concepts
- Synthesized into working Boundary Concepts

Background Materials Highlights

- The Checklist

- A list of criteria for inclusion in Sanctuaries

- Compiled from the National Marine Sanctuaries Act, and from the designation document of the CINMS
- Areas may be included if they fit any criteria
- 4 criteria-ecosystem, biogeographic, social/cultural, administrative

The Checklist - Ecosystem Criteria

Areas within Sanctuaries should:

- Contain nationally significant living resources
- Contain vital habitats
- Contribute to biological productivity
- Contribute to maintenance of ecosystem structure
- Contribute to maintenance of ecologically or commercially important or threatened species or assemblages
- Contain resources that need to be protected from human activities
- The area should constitute a definable ecosystem unit

The Checklist - Biogeographic Criteria

- Contribute to the biogeographic representation of the site

The Checklist — Social/Cultural Criteria

Areas within Sanctuaries should:

- Contain nationally significant non-living or human use resources
- Contain areas significant to research, recreation, aesthetic value, or education
- Contain resources that generate tourism
- Contain areas in which human activities may need to be managed in order to protect resources
- Contain areas necessary to maintain public access to larger areas
- Socioeconomic impacts should be considered in selecting areas
- Future use trends should be considered

The Checklist — Administrative Criteria

Management of the Area should:

- Contribute to comprehensive and coordinated conservation and management
- Support, promote, coordinate research
- Facilitate public and private uses compatible with protection
- Cooperate with global programs
- The area should be suitable for monitoring and enforcement

IUCN Criteria

- Created in 1948
- Global conservation organization
- Mission: Assist societies in conservation and sustainable use of resources
- Complementary concepts
- Diversity
- Naturalness
- Representativeness
- Uniqueness
- Integrity-functional ecological unit
- Productivity
- Vulnerability-susceptibility to degradation
- Dependency-degree that species, processes depend on area

Tundy Agardy

- Marine Protected Areas and Ocean Conservation
- Published by Environmental Intelligence Unit of World Wildlife Fund

- Complementary Concepts
- Selection of sites based on:
 - Value — diversity, productivity, significance, etc.
 - Threat — use impacts, local or external
 - Opportunity — areas with support from local communities, authorities

SAC Input — the next step

- As we review and refine the Working Boundary Concepts together over two workshops — Have we overlooked any concerns or criteria?

Discussion on Packet Materials:

Bruce began this discussion by asking where the threats were quantified. He believes that the threats should be identified before discussing boundaries. Both Anne and Cathryn replied that threats will be discussed at the next SAC workshop on regulations. Bruce also mentioned that in the LA Times article on marine sanctuaries, overfishing was described as a threat. He believes that a primary threat is water quality, not overfishing.

C. GIS Presentation of the Study Area Features (Ben Waltenberger, Satie Airame, and Bob Schwemmer)

Ben and Satie described some of the physical and biological features of each boundary concept. Bob described the cultural features. The following is a summary of their presentation.

Physical Features

- variable topography
- land-marine interface
- Santa Lucia Bank
- Santa Barbara Gyre
- Santa Rosa Plateau
- Continental Slope
- Hueneme Canyon
- Reefs off of Santa Barbara Island
- Arguello Canyon

Continental Borderland

The Continental Borderland is a series of basins and ranges within the Santa Barbara Channel. It is a heterogeneous environment with an escarpment of 4000 meters. Located where the range drops off are many species of marine mammals including several species of dolphins, sea lions, harbor seals, right whales, gray whales, and sea turtles.

The Santa Barbara Gyre

- where the California Current and Countercurrent meet
- trap phenomenon with an established pattern
- macroscale eddy
 - the periodicity is unknown
 - counterclockwise
 - the lifecycle of certain juvenile species occur here, i.e. rockfish
 - during El Nino, this eddy contributes to recruitment and acts as a holding tank

Biological Aspects of Unique Topographic Areas

- pinnipeds— high relief areas
- whales — slopes or upwelling areas
- brown pelican and Cassin's auklet — northern reefs/sea mounts

Santa Lucia Bank

- 40 nm off Point Sal
- deep habitat
- site for blue and humpback whales

Rodriguez Seamount

- site for sperm whales

Santa Rosa Plateau

- 125 m. deep
- ridge is south-west of San Clemente Island
- drops off to 2000 m. at the basin
- attracts migrating mammals
- site for blue, humpback, and fin whales

Hueneme Canyon

- 200 — 600 m. deep
- located at the eastern end of the Northern Channel Islands
- site for pigmy sperm whales

Reefs

- attracts biodiversity
- site for many seabirds and fishes

Undeveloped Coastline

- fairly pristine

Hydrocarbon Seeps

- potential habitats for certain species
- seeps
 - million cubic feet per day
 - upwelling is 1-50 cm per second

Anoxic Basin

- unique in the world
- habitat not well studied
- less than 0.1 ml/L of oxygen
- organic carbon content increases
- in history, it has produced black shale

Cultural Resources

- 35 shipwreck sites have been discovered, mostly along shallow water areas

- there are still many potential sites at deeper depths
- currently there are 12 sites along the coast
- from 1819 to the present, there have been over 400 shipwrecks
- below Pt. Sal, there are seven submerged US Naval destroyers

Oil and Gas

- offshore platforms

Discussion on Study Area Features:

Jim Shevock asked if there were any sediment deposits from artificial sources coming into the Channel. Matt Pickett replied that sediment transport is a natural process; however, the amount of sediment has increased due to an increase in agriculture. Marla asked where the whale data came from. Satie stated that there were many data sources including the Marine Mammal Center, Scripps Institute of Oceanography, anecdotal data, and much more.

D. Working Boundary Concepts (Matt Pickett and Ben Waltenberger)

Ben and Matt discussed each boundary concept and the development of these concepts based on certain criteria and associated features. The text from their presentation follows. Note that the slide entitled, Biophysical Criteria: Additional Criteria has been altered to include the SAC's suggestions/additions.

CINMS Boundary Concept Development: Staff Process

1. Develop biophysical criteria and features list
2. ID general location of features within study area
3. Staff discussion and vote to determine: feature within largest boundary area
4. Staff discussion and vote to determine: features within smallest enlarged boundary area
5. Comparison of individually mapped middle size alternatives

Boundary Concept 1

5100 Sq. NM

Additional Features:

2. Continental slope area (more)
5. Hueneme Canyon
8. Coastal wetlands (more)
11. Linkages to coastal watersheds (more)
12. Cetacean migration & feeding areas/corridors (more)
13. Seabird foraging areas (more)
15. American Indian artifacts (more)
16. Historic Shipwrecks & Aircraft (more)
17. Cultural/Historic Mainland sites (more)
18. Oil and gas structures/leases (more)

Boundary Concept 2

4095 Sq. NM

Additional Features:

5. Hueneme Canyon
7. Undeveloped coastline (Gaviota Coast to Pt. Sal)
8. Coastal wetlands (more)
9. Hydrocarbon seeps (Coal Oil Point)
11. Linkages to coastal watersheds (more)
12. Cetacean migration & feeding areas/corridors (more)
13. Seabird foraging areas (more)
15. American Indian artifacts (more)
16. Historic Shipwrecks & Aircraft (more)
17. Cultural/Historic Mainland sites (more)
18. Oil and gas structures/leases (more)

Boundary Concept 3

2827 Sq. NM

Additional Features:

1. Continental shelf area — Santa Rosa Plateau
3. Santa Barbara Gyre (more)
7. Undeveloped coastline (Gaviota Coast to Pt. Sal)
8. Coastal wetlands (more)
10. Anoxic basin (more)
11. Linkages to coastal watersheds (more)
14. Fish larval sources (more)
15. American Indian artifacts (more)
16. Historic Shipwrecks & Aircraft
17. Cultural/Historic Mainland land-use sites (more)

Boundary Concept 4

2360 Sq. NM

Additional Features:

2. Continental slope area
3. Santa Barbara Gyre (partial)
6. Rocky reef off Santa Barbara Island
10. Anoxic basin
14. Fish larval sources

Boundary Concept 5

CINMS squared

1411 Sq. NM

Additional Features:

- Boundaries along latitude/longitude lines for ease of identification on charts, improved enforcement

Biophysical Criteria: Additional Criteria suggested by the SAC

Physical/Geologic:

- 19. Upwelling (seasonal and persistent): Point Conception
- 20. Upwelling: Other areas
- 21. Davidson counter-current

Habitat:

- 22. Underwater live bottom reefs (See #6)
- 24. Mainland kelp forests
- 26. Osborne bank

Living Marine Resources/Biological Processes:

- 23. Fish spawning aggregation areas (e.g. Ventura Flats) — not currently mapped
- 25. Sea otter sighting areas (recent)

Discussion on Working Boundary Concepts:

Bruce Steele suggested that the ammunitions dump be included in one of the concepts. According to Bruce, the Navy doesn't have records of everything that was dumped at that site.

Gary Davis asked why only half of Osborne Bank has been included in all of the concepts. Ben responded to Gary by stating that the reason why Osborne Bank was cut in half was because Staff was attempting to keep the southernmost boundary of the study area running along an easily identifiable latitude line. After this meeting, the boundary concepts will be modified to include the entire Osborne Bank.

Marla asked if there was any preferred alternative determined at this time. Matt stated that there is no preferred alternative at this time. Marla was also curious as to what the physical impacts would be if the north and south shipping lanes were encompassed in the Sanctuary. Anne stated that the impacts from shipping activities, mainly air and noise pollution, will be considered. Marla also mentioned that she participated in a gray whale study in 1995. The findings from the study differed from the mapped information that Ben and Satie presented. The study showed that the majority of gray whales were found near the southern side of Santa Cruz Island. Satie replied that the maps they used in the presentation showed only general areas of concentration.

Korie Johnson asked why the boundary came ashore in such a small area in Concept 3. Matt stated that the reason why the boundary came ashore in this small area was to avoid oil and gas rigs and leases. Korie then asked if the Sanctuary was attempting to ignore such complicated issues. Matt replied that these issues will be looked at through research; however, important politics are involved.

Jim Shevock asked what the reasons were behind changing the study area in Concept 2. Matt stated that to the North was the prospective National Seashore and to the South was the chemical conditions dump.

Bruce reiterated his feelings that the SAC was not considering threats and therefore was deciding where before why.

3. Public Comment Period

Rebecca Bjork, Water Resources Board of the City of Santa Barbara

The City of Santa Barbara's Water Resources Board is concerned with boundary expansion. There is currently a water quality process called the California Ocean Plan. The Board is concerned that if CINMS expands its boundaries, it will add another layer of regulations that contradicts existing documents. The California Ocean Plan will be used to set water quality guidelines that are peer reviewed and scientifically based.

Mick Kronman, Harbor Operations of the City of Santa Barbara

The Waterfront Department sought action from the Water Commission, Harbor Commission, and City Council. The Harbor Commission asked the mayor to draft a letter to LCDR Matt Pickett asking that the boundaries remain status quo. The City Council elected by a 5-2 vote to forward a letter to Matt expressing concerns relative to boundary expansion. Mick read the following letter.

Dear Lieutenant Commander Pickett:

I am writing to provide Santa Barbara City Council's position regarding boundary changes being considered as part of a Draft Environmental Impact Statement (DEIS) for the Channel Islands National Marine Sanctuary's revised Management Plan. Based on staff research, public comments and recommendations from the City's Harbor Commission and Water Commission, the City of Santa Barbara respectfully requests that CINMS be aware of concerns associated with Sanctuary boundary expansion.

The City has enjoyed its relationship with CINMS ever since the Sanctuary's designation in 1980, and it values highly the research, education and resource-protection missions the Sanctuary has undertaken. Nonetheless, harbor dredging operations and breakwater or wharf repairs, along with management of wastewater disposal facilities and the City's desalination system, could be affected by a CINMS boundary revision toward the coast.

In addition, goals of the City's Harbor Master Plan give a high priority to protection of a working harbor that includes a viable commercial fishing fleet and all types of recreational boating. This is a priority we would not wish to see jeopardized by boundary-expansion alternatives (or associated regulations) developed through the Environmental Impact Statement process.

Again, the City salutes CINMS for its fine work in studying, preserving and protecting the marine environment that surrounds the Channel Islands. We look forward to continued good relations with the Sanctuary, and to working with you on development of the Management Plan EIS. Meanwhile, the City encourages CINMS to duly consider the concerns noted above. If you have any questions concerning these matters, don't hesitate to call either Waterfront Director John Bridley or Water Resources Manager Bob Roebuck.

Sincerely,

Harriet Miller

Facilitator Brock Bernstein emphasized that the SAC try to evaluate the ecological data being presented with the goal of making sure that the Sanctuary has an array of boundary concepts to go forward with the DEIS.

Sandy Delano, Ventura Port District

Sandy asked if the packet that was sent out to the SAC and the Affected Environment section of the DEIS would be available for the public via the Sanctuary's website. Anne replied that both will. Sandy also noted that she was misinformed about the meeting start time and requested that this doesn't happen again. She also mentioned that the criteria list is very broad. Cathryn Wild replied that Sandy was referring to the checklist, not the criteria list. Cathryn emphasized that large-scale goals from the National Marine Sanctuary Act and the original CINMS designation document are directing the Sanctuary's approach to this process, not specific features or criteria.

Sandy Delano also asked if there were any plans to remove any of the refuse left from recent shipwrecks. Matt replied that since its designation, the Sanctuary has worked hard at cleaning up wreckage from recent shipwrecks and air wrecks.

Lee Quaintance, Beacon Foundation

The Beacon Foundation favors boundary expansion coming to the shoreline. Lee stated that much of the Santa Barbara Channel is located within the Navy's Sea Test Range or other military-controlled areas. There is an increased emphasis by the Department of Defense on littoral warfare that focuses on carbon-rich coastal environments. Both the Surface Warfare Engineering Facility and the Sea Test Range have plans for expansion.

Drew Mayerson asked if anyone at the Sanctuary spoke to the issue of military and what an expanded Sanctuary could or could not do with regard to military maneuvers or expansion of projects. Matt stated that he believes that the Sanctuary has a strong relationship with Vandenberg and the Navy at Point Mugu. The Sanctuary consults with them on all their projects and tries to steer them into the best environmental practices. Drew then asked if the Sanctuary could prohibit any of their activities. Anne Walton stated that if their activities are not for national defense then the Sanctuary has the authority to do so and that this is dealt with in different capacities at different sanctuary sites. CINMS would like to have a better understanding of the kinds of military activities that occur in the Sanctuary and the potential impacts from those activities, as well as develop a system for understanding and reporting those activities as they are about to occur.

Bruce Steele pointed out that there is airborne military activity below 2000 feet within the Sanctuary. Matt stated that the military have not gone below 2000 feet recently. He also stated that 2000 feet is a recommendation and not a regulation. Alex Stone agreed with Matt and mentioned that one exception is a Mine Training area at Becher's Bay, but that is a specific activity and location.

Jay Elder, Port San Luis Harbor

Jay thanked the Sanctuary for inviting the public to participate in this process. He is concerned that there is some overlap in some of the boundary concepts into State waters. He wanted a clarification on the environmental assessments and why the Sanctuary's not doing a combination of CEQA and NEPA.

Anne Walton responded by stating that the Sanctuary is a federal agency and is therefore only required to comply with NEPA. If the Sanctuary is doing something jointly with the State and if it was a proposed state and federal action, then it would also trigger CEQA. In this Management Plan revision process, the Sanctuary is only required to comply with NEPA. Sean Hastings added that when the Sanctuary puts out its EIS, the State of CA will be reviewing it and ultimately, the Governor will have to allow the EIS to go through if it impacts state waters. Dianne Meester asked if the EIS will go through the Coastal Commission or straight to the Governor. Anne answered that it would have to go through the Coastal Commission.

Carolyn Moffat, Port San Luis Harbor District

Carolyn requested that the boundary expansion and the study area include San Lucia Bank because it is a rich source of fish production due to upwelling. She believes that the Bank should be considered as a total unit.

Rick Algert, City of Morro Bay Harbor

Rick stated that Morro Bay values a working harbor. He thanked CINMS for coming up to Morro Bay in February and discussing the management plan there.

Jean Rountree, Beacon Foundation

Jean was concerned that nobody at the meeting mentioned the Surface Warfare Engineering Facility (SWEF) located at Port Hueneme. SWEF plans on expanding their operations, which entails having twice as many aircraft, including low-lying aircraft. She asked the SAC to realize that the coastline is being turned over to the military. She believes that Sanctuary boundary expansion is an opportunity for protection of resources. Jean also mentioned that commercial testing of weapons occur in the Channel and that not all of it is virtual testing.

Mike Lunsford, Gaviota Coast Conservancy

Mike asked the SAC to not think in the present time zone when considering boundary expansion. He believes that there wouldn't be water quality issues today if current agencies were working. He supports Boundary Concept 1 and noted that the strength in society is pluralism.

Mr. Robert Duncan, newly appointed SAC Public At-large Alternate, introduced himself at this time. He spent a good percent of his life around the Channel Islands. He is a diver, fisherman, and recreational boater. He thanked the SAC for his appointment.

4. Biophysical Criteria Discussion

Matt Pickett began by asking every SAC member to give their opinions on the boundary concepts that Staff developed.

Robert Duncan: The ideas are appropriate, but he would prefer not to comment on the carrying out of these ideas as he did not attend the first half of the meeting.

Jim Shevock: Likes the concept that connects Santa Barbara Island to the rest of the islands. Concerned with the administrative aspect.

Drew Mayerson: Unsure of what was expected of the SAC. He was concerned with the uncertainty of the impacts on other users. Some of the presentation regarding

- how unique certain resources are should have been countered with what makes them unique and if they occur in other areas.
- Gary Timm: Comfortable with the concepts. There are still a lot of questions left unanswered.
- Marla Daily: Good start.
- Korie Johnson: Good range.
- Craig Fusaro: Square boundaries are a reasonable alternative to the existing boundary type. Would like more information on specific ecological linkages of the study area and the Bank. Would like the opportunity to look at other permutations of boundary concepts.
- Dianne Meester: Good range.
- Greg Helms: Good range. Requested that certain important physical features not get cut in half. He requested that the numbers on the maps turn into squares. Asked that unique features be protected.
- Jorge Gross: Maps look great.
- Bruce Steele: Mentioned that everybody needs to know that there is a countercurrent (Davidson) and it might not have been studied. He believes that there are some areas that are self-contained.
- Rudy Scott: The concepts are a great starting point.
- Alex Stone: From the tourism standpoint, more regulations would hurt the industry.
- Ron Dow: There s a wide array of concepts. There are three considerations that would affect the narrowing of the concepts: uniqueness, certain areas that are more risky, and difficulty when not discussing regulations.
- Jackie Campbell: Fine range of concepts.
- Mary Elaine Dunaway (from MMS): Concerned with some of the squares and the possibility that some of the resources were cut off. It would have been helpful to see all of the ecological areas defined.
- Gary Davis: Good start.

Matt Pickett stated that the features may not be unique in and of themselves, but the fact that they are located within the Bight is unique.

Brock Bernstein described the feature scoring exercise. First, the SAC was asked to suggest any new biophysical criteria they feel should be added the list. Second, the SAC was asked to score this criterion. The SAC brought up many issues of concern regarding this exercise. Many Council members felt unqualified to rank the criteria, while others weren t sure how the ranking was going to be utilized. Several members expressed their uncertainty with the usefulness of this exercise without discussing regulations first. CINMS Staff caucused about the effectiveness of this exercise and decided to skip the scoring exercise and move on to the management issue criteria discussion.

Korie Johnson offered a motion that the SAC accept all of the boundary concepts for now, with the understanding that they can be modified in the future. Dianne Meester seconded. The motion carried unanimously.

Note that the following bio-physical criteria were added to the list:

Upwelling Areas (seasonal and persistent): Point Conception (Craig Fusaro)

Upwelling Areas: Other (Gary Davis)
Davidson Counter-current (Bruce Steele)
Fish Spawning Aggregation Areas: Ventura Flats (Alex Brodie)
Mainland Kelp Forests (Gary Davis)
Sea Otters
Underwater Live Bottom Reefs (Mary Elaine Dunaway)
Osborne Bank (Gary Davis)

5. Management Issue Criteria Discussion

The SAC reviewed the handout entitled Draft List of Management Issues Potentially Relevant to Boundary Redefinition and discussed each issue.

Commercial Fishing

Bruce Steele began the discussion by suggesting that marine mammal interactions should be included on the list. He stated that there are limits to how much food is in the ocean. Bruce also mentioned that there is a parallel process occurring to the Management Plan and that is the Marine Reserves Working Group (MRWG) process. He believes that if you close a small area in the perfect place, it is more effective. Bruce asked why closed areas was not on the list of issues. Anne Walton stated that closed areas would be a management tool and would therefore fall under Administrative Issues. The SAC agreed to add zoning under a new category entitled Management Tools.

With regards to aquaculture, Korie Johnson asked what the Sanctuary's position was on this topic. Anne Walton stated that specifically for CINMS, there has not been a position in the past. She's heard of certain forms of aquaculture activity occurring in the Sanctuary, but nothing that is of particular concern right now. She added that the Sanctuary may want to address this issue because they don't know the future of it.

Bruce Steele reiterated that one of the major regulations of the Sanctuary is that you cannot alter the seabed. However, the only way he will be able to help protect shellfisheries from sea otter predation is if he can alter the seabed. He believes that crevice habitat is the only thing that will keep the urchin industry alive in the Santa Barbara Channel once sea otters arrive. Anne mentioned that the only way you could do this now is through Sanctuary-granted research or education permit, but there might be alternatives in the future to address this issue. For example, it might be possible to have a permitting process to allow more specifically for that activity. Bruce Steele noted that the creation of crevices where the bottom is extremely flat is an experiment.

Seawater Desalination Plants

Dianne Meester suggested adding outfalls under this issue. Rebecca Bjork from the Santa Barbara Water Resources Board described current regulations regarding outfalls. She stated that any discharge through outfalls is regulated under a National Pollutant Discharge Elimination System (NPDES) permit issued by the State's Regional Water Quality Control Board. The Ocean Plan identifies beneficial use and that serves as the basis that determines what limits are being set. In addition, there are also performance limits.

Rebecca added that the California Ocean Plan is a State Water Resources Control Board document that is updated every 3 years. California is also extremely more stringent than the EPA. Craig Fusaro noted that currently the EPA, along with state, regional, and local boards that administer these Clean Water Act rules, are undergoing a review of the California Ocean Plan with respect to the Santa Barbara Channel for point-source discharges from offshore oil platforms. Craig reported that in the next two years Santa Barbara will have to come under a NPDES permit for non-point source discharges. He suggested adding Non-point discharges to this category.

Rebecca Bjork also mentioned the Total Maximum Daily Loads (TMDL) permits for rivers. Bruce Steele asked Rebecca if she could quantify the levels of metals entering the Channel as discharge. The last time she checked, metal levels have decreased by 50-85 percent since 1990.

Oil and Gas

Drew Mayerson stated that what he was looking for regarding oil and gas was an answer to the question of what level of regulations would be placed on developed and undeveloped leases. He wanted to know if everything would remain the same or be grandfathered in. Matt Pickett replied that he had talked to Dan Basta, the Director of the National Marine Sanctuary Program, who stated it is feasible to grandfather rigs into the Sanctuary. Anne stated that this is an extremely complicated issue with the current political climate in the state and unforeseen future of the oil and gas industry. She believes that it's probably going to be an agency-to-agency decision on how the Sanctuary could affect the industry. From the comments that Anne has received, the majority of the public wants oil and gas out of the Sanctuary. Drew stated that you wouldn't know if you could get oil and gas out with boundary expansion. The major issues that were brought up during public scoping were oil and gas, water quality, marine mammal protection, and ecosystem management.

Marla noted an indent error for Seawater Desalination Plants.

Vessel Traffic and Harbors

Lyn Krieger suggested adding two categories to the list: dredge management and beach/sand management. She stated that several counties have problems with sand distribution. She also noted that if the boundaries were to extend to the mid-tide line it would impact certain harbors that have exterior equipment that needs repair or removal. Craig Fusaro mentioned that the Joint Oil Fisheries Committee, for which he works, developed a list of voluntary oil service vessel traffic corridors. He will provide those charts to the Sanctuary.

Military Activity

Ron Dow reported that the Vessel Traffic Working Group is beginning to sway towards speed reduction. Bruce Steele asked about air traffic regulations. Matt Pickett stated that there is currently a no-fly zone of 1000 feet within a mile of the islands. This regulation could not come to the coast because of the Santa Barbara airport. Ron Dow suggested that the military activity issue be divided into several categories: aircraft, missile, and vessel.

Anne Walton stated that what the Sanctuary is looking for regarding military activity is the level of activity within the Sanctuary and the potential impacts on the resources. She also stated that the Sanctuary cannot regulate military activities essential to national defense, but noted that there is also commercial activity at Vandenberg AFB.

Marla Daily asked if any of the dumping areas are still being used. Ron Dow replied that most of the dumping occurred in the 1950 s and 60 s, but that there are very few records of military use of these dumping areas. The dumping was not regulated back then. He emphasized that it was not just the military that were using these dumping areas. Bruce Steele stated that there were 3000 barrels of low-level radioactive waste said to be dumped in the SB Channel. Ron Dow replied that he was unaware of the drums existence. Marla Daily asked if they put an ROV down in the area. Craig Fusaro replied that has been done at the Gulf of Farallones National Marine Sanctuary, but not near the Channel Islands.

Research and Data Collection

Jorge Gross mentioned that collecting permits is a scientific endeavor and should be put in this category. CDFG has a database on what is collected.

Recreation and Tourism

Lyn Krieger suggested that sportfishing should be added to the list. Alex Stone mentioned air traffic for tourism. Jackie Campbell suggested adding swimming. Greg Helms suggested adding tide-pooling. Dianne Meester suggested adding jet-skiing. Alex Stone suggested that moorings be added under management tools. Anne Walton stated that the Sanctuary has talked about putting a placeholder in the Management Plan to talk about a mooring system. This would have to be coordinated with the Park, so that the Sanctuary could control some of the impacts of anchoring. Gary Davis suggested that moorings are a management tool. He stated that the Park Service deals with moorings on a case by case basis.

Educational Activities

No specific suggestions.

Jackie Campbell suggested adding fiber optic cables onto the list.

Administrative Issues

Bruce Steele suggested adding water quality and air quality. Alex Stone asked if there was funding for enforcement. Matt Pickett replied that the Sanctuary would work with CDFG, the Park, and the Coast Guard. He believes there will be funding opportunities to work collaboratively in the next few years.

Public Comment

Mick Kronman expressed concerns about resource aggregations.

Jay Elder thanked the Sanctuary for providing an opportunity for Port San Luis to participate in this process. He asked that the Sanctuary continue to put the data online. He stated that the California Coastal Act requires ports and harbors to protect, enhance, and expand port and harbor facilities where feasible and believes that ports and harbors is a much broader category that includes commercial and recreational fishing, recreational boating, and more.

Mike Lunsford commented that straight boundary lines are beneficial for enforcement of regulations. He believes that the Sanctuary should look at partnership opportunities. He also stated that managing/assisting in monitoring the chemical dumping areas is important.

Eric Hooper commented that local communities depend on sustainable fisheries. He asked what the benefit was with boundary expansion. He believes that current protection efforts are adequate.

Rick Alpert expressed concern that the Monterey Bay Sanctuary is having difficulties with local harbors. Rick urged the Sanctuary to consider boundary alternatives that have a substantial buffer zone around existing harbor facilities, existing human beneficial uses such as outfalls and dredge use disposal sites. He asked that ports and harbors have a SAC representative.

Carolyn Moffatt from the Port San Luis Harbor asked how future oil and gas leasing might be addressed in the Sanctuary and how the expiration of existing leases would be treated. Matt replied that those issues will be addressed at the next meeting.

Tom Raftican believes that the Marine Reserves Working Group (MRWG) has put together a stakeholder process. Boundary expansion caught him and his constituents off guard. He believes this cuts away support from what the MRWG is doing. He is disturbed that he did not know what was going on.

Bruce Steele stated that they have to go out to their constituents concerning marine reserves, but when boundary expansion is being discussed at the same time and they don't yet know which areas might be closed, it is undercutting those that said they would deal with this issue. Anne Walton responded by stating that this process regarding boundary redefinition was brought to the SAC 6-9 months ago. The Marine Reserves Working Group is under the Management Plan review process, but because of the focus of the MRWG, it has fallen behind the rest of the Management Plan process. Anne has presented to the MRWG and they've been informed all along. She noted that CINMS has made their best effort to reach out to the public, but sometimes it is hard to get everybody tuned in. Sean Hastings added that they made it clear for the MRWG work and recommendations on marine reserves would only apply to existing Sanctuary boundaries.

Bruce Steele stated that when the SAC took a vote on the study area that Mike McGinnis recommended, he did not realize that the study area would eventually become an area of maximum boundary expansion. Anne Walton replied that the study area defines the maximum area examined to make changes and that this was relayed to the SAC last November. Linda Krop added that the study area provides important information on resources and impacts. Anne also mentioned that all of the boundary alternatives will go through the DEIS process for full analysis.

Sandy Delano asked if the MRWG will reexamine their recommendation on reserves in a year if boundaries expand. Anne Walton stated that it wouldn't make sense to do that; it would take too much time, energy, and money all over again. Bruce stated that part of the problem with reserves is that it ends up as the enemy. He would like to hold someone to task that Northern California will have to do give up as much as he will have to.

Helen Golde pointed out that the President's Executive Order defines marine protected areas very broadly. She added that MPAs are not just closed areas. Anne Walton stated that marine reserves are seen as a useful tool for protection of marine resources. Helen added that reserves

are a tool, but that there is no set agenda right now. Melissa Miller-Henson stated that the reason why there are two processes going on at the same time (Management Plan and Marine Reserves) is because an organization came to the Fish and Game Commission with a proposal for marine reserves. She added that this tool is being used in other parts of the world as well.

Tom Raftican asked what the Sanctuary expansion would do regarding reintroduced species. Matt replied that NOAA hasn't taken a stand on this issue yet.

Linda Krop mentioned that there might be some confusion among the public and that clear press releases might remedy this problem. Dianne Meester suggested that it might be helpful if the other Sanctuary Managers that serve on the SAC could attend the regulation workshop on June 14.

8. Future meeting dates, locations and agenda topics

A. Meeting Dates/Locations

June 14 SAC Meeting/workshop on Sanctuary regulations for DEIS alternatives (Santa Barbara)

July 19 SAC Meeting (Ventura)

Sept. 20 SAC Meeting (Lompoc)

Nov. 16 SAC Meeting (Santa Barbara)

B. Future Agenda Topics

Future agenda topics will be addressed after the June 14th SAC workshop.

Meeting adjourned at 4:30 p.m.

Minutes respectfully submitted by:

Mettja Hong and Mike Murray
Channel Islands National Marine Sanctuary